

**LAKE COUNTY
LOCAL EMERGENCY PLANNING COMMITTEE (L.E.P.C.) / CITIZEN CORPS
BY – LAWS**

FORWARD:

The use of and transportation of hazardous materials continues to increase in complexity. Each year, new chemicals are introduced into commerce. From time to time, commodities already in commerce have been found to create previously unrecognized hazards or there have been found additional hazards to those originally noted and provided for.

Although existing regulations have done a good job, nonetheless, there have been some spectacular, widely publicized, and serious accidents involving hazardous materials. These have led to public demand for more stringent controls. It is hoped that with the formation and appointment of this committee, we in Lake County will have a head start in obtaining knowledge of many hazardous material situations in the county and have control over any incident that may occur.

As an additional responsibility, the Lake County Local Emergency Planning Committee will also assume the duties associated with the National, and the State Citizen Corps program. The mission of Citizen Corps is to harness the power of every individual through education, training, and volunteer service to make communities safer, stronger, and better prepared to respond to the threats of terrorism, crime, public health issues, and disasters of all kinds.

I. AUTHORITY AND REFERENCE:

- A: South Dakota Compiled Law, Chapter 33-15
- B: County Resolution 94-6 dated April 19, 1994
- C: Federal Laws and Regulations
- D: SARA Title III – 301 and 303

II. PURPOSE:

The purpose of this committee is to carry out the responsibilities set forth in the Lake County Resolution 94-6 passed by the county commission on April 19, 1994 and to assure Lake County is in compliance with SARA Title III. (See also IV. Committee responsibilities)

III. SITUATIONS AND ASSUMPTIONS

The Lake County Commission and the Local Emergency Planning Committee / Citizen Corps recognize the vulnerability of its residents and their property to any hazardous material situation or other emergency. With the growing number of hazardous materials, the transportation of them becoming more complex and with highways 34, 19 and 81 going

through the county, along with the number of users and the number of facilities storing them, the hazardous materials committee was formed to try to mitigate future problems involving hazardous materials that may occur. With the addition of the Citizen Corps responsibilities, the committee will strive to work with all emergency responders agencies and citizens of the county to assist in their preparations for a safer community/county.

IV. COMMITTEE RESPONSIBILITIES

- A. Develop an emergency response plan and evaluate available resources for preparing for and responding to a potential chemical accident to ensure private and governmental compliance to Title III requirements which shall include:
 - 1. Identification of facilities and extremely hazardous substance transportation routes.
 - 2. Emergency response procedures, on site and off site.
 - 3. Designation of a community coordinator and facility coordinators to implement the plan.
 - 4. Emergency notification procedures.
 - 5. Methods for determining the occurrence of a release and the probably affected areas and population.
 - 6. Description of community and industry emergency equipment, facilities, and the identity of the persons responsible for them.
 - 7. Evacuation plan.
 - 8. Description and schedule of training programs.
 - 9. Methods for exercising emergency response plans.
- B. Keep on file, listings of hazardous materials and possible solutions to problems that may arise from hazardous materials being used, stored or transported.
- C. Have as an objective, to improve coordination and communication as well as returning any unstable condition to a stable condition in the shortest time in order to reduce loss of life, injury and property damage.

- D. Track reporting of incidents from the local level through state and federal levels of government.
- E. Keep local, state and federal officials informed of activities in the hazardous materials area.
- F. Work with emergency response agencies to ensure they have adequate training and resources to meet the growing demand for training requirements.
- G. Work with emergency response agencies to help promote public safety, by maintaining response plans, promoting public awareness/information, and promoting public involvement.
- H. Provide for planning, directional control, and leadership with an “all hazards” Preparedness and Mitigation goal.
- I. Work with all emergency response agencies and local citizens to prepare for an “all hazards” emergency.
- J. Work with all emergency responders and government officials to ensure that the Hazmat Response Plan is incorporated or work in conjunction with the Local Emergency Operation Plan (LEOP).

V. COMMITTEE MEMBERSHIP:

Membership is open to anyone who is interested in serving and/or has knowledge of hazardous materials or public emergency preparedness knowledge. Members will be appointed by the Lake County Commission and shall include, but are not inclusive to:

Elected state and local officials, police, fire service, emergency management, public health professionals, environmental, hospital, and transportation officials, representatives of facilities subject to emergency planning, community groups, and the media.

VI. MEETINGS:

The committee will hold quarterly meetings at a location deemed necessary to facilitate the meeting. The meeting location, date and time may be changed to serve the needs of the committee. Special meetings may be called at the discretion of the chairperson. Notice is to be given at least five (5) days in advance by mail, e-mail, or phone call.

The public will be notified of the location, date, and time of all quarterly and special meetings through the local radio and print media. The media will be notified by e-mail at least twenty-four (24) hours in advance and asked to publish or broadcast the location, date and time of the meeting to the public.

VII. TERM OF APPOINTMENT:

Committee members will serve for a minimum of one (1) year term with the appointment being made by the Lake County Commission at its second meeting in January of each year. Any member, who shall miss more than four (4) meetings in a row, will be dropped.

VIII. COMMITTEE OFFICERS:

Within the committee there shall be a chairperson and vice chairperson elected by the committee members at the January meeting. Should the position of chairperson become open, the vice chairperson shall assume the position of chairperson. There shall be no term limits regarding the number of years a member can serve in the positions of chair and vice chairpersons if the committee elects them each year. The Emergency Management Director or his designee shall serve as Secretary for the committee. The chairperson or vice chairperson will conduct all meetings in a businesslike manner. In the absence of both chair and vice chair, the Emergency Management Director for Lake County may conduct the meeting.

IX. FINANCES:

The committee will maintain a balance account within the Lake County Auditor's office. Funds designated for the LEPC/Citizen Corps will be routed through the County Treasurer's office and the Auditor's office will be provided accountability reports. The Emergency Management Director or an appointed designated person will maintain accountability of the funds and process payment actions for invoices received through the Auditor's office. The committee may keep a checking account if no tax dollars are involved. All private funds available to the committee to carry out its responsibilities shall be kept in a local bank in an interest bearing account with the chairperson and vice chairperson being authorized to sign checks. These funds may be used only to promote functions of the hazardous materials committee. The committee will approve all use of the funds prior to payment to any vendor.

X. CLASSIFICATION OF HAZARDOUS MATERIALS

Hazardous Materials shall be known as, but are not limited to, the extremely hazardous substances published in the Federal registry,

Petroleum Products and products that pose a threat to life, environment or property when not controlled in its normal controllable containment.

XI. NOTIFICATION OF THE LEPC IN THE EVENT OF A RELEASE

The term “release(s)” means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, escaping, leaching, dumping, or disposing into the environment of any hazardous material.

All facilities must conduct an emergency notification of a release of a hazardous material that exceeds the reportable quantity for that substance in accordance with the Superfund Amendments and Reauthorization Act of 1986, Title III, Section 304.

- A. **INITIAL NOTIFICATION:** The Lake County 9-1-1 Communications dispatcher will serve as the 24 hour contact for notification of all hazardous material incidents.
- B. The dispatcher will alert all agencies as deemed necessary by the information received from the caller of the incident/accident.
- C. A Law Enforcement Officer serving that jurisdiction will respond to the incident/accident for the purpose of verification, data gathering and site control.
- D. The dispatcher will alert the Lake County Emergency Management Director and other Emergency Agencies as needed, including the Lake County LEPC, for the response.
- E. All incoming reports should contain the information as shown on the Hazardous Materials Incident Reporting Information Form, which is included in the hazardous material emergency response plan.
- F. The South Dakota Office of Emergency Management (SD OEM) Staff Duty Officer will be notified by using the 24 hour number 773-3231. The SD OEM will then notify the appropriate agency or agencies as necessary.

XII. RECEIVING AND PROCESSING REQUESTS FOR INFORMATION UNDER SARA TITLE III:

The Committee shall annually publish a legal notice indicating where all Title III documents are maintained and available for examination and copying by the public.

A. Guidelines on receiving and processing requests for information under SARA Title III will be those published by the South Dakota Department of Water and Natural Resources, Division of Air Quality and Solid Waste.

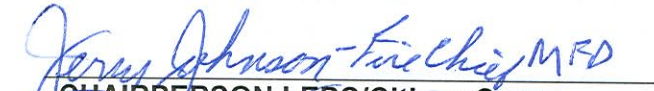
1. Information Available
2. How to file a request
3. Response to a request
4. Information Withheld
5. Cost of Request

XIII. BY-LAW CHANGES

By-laws may be changed by a majority of the members present at the meeting following the proposed changes.

CERTIFICATE OF ADOPTION

The Lake County Local Emergency Planning Committee / Citizen Corps in Regular Meeting on July 15, 2009, hereby approve the By-Laws for the Lake County Local Planning Committee (L.E.P.C) / Citizen Corps.



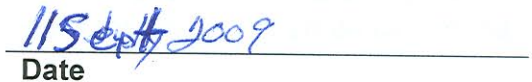
CHAIRPERSON LEPC/Citizen Corps



Date



ATTEST:
Lake County Emergency Management Director



Date